

IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE  
S/S Fuselage Avenue, 75' E of \* ZONING COMMISSIONER  
the c/l of Right Elevator Road \* OF BALTIMORE COUNTY  
(705 Fuselage Avenue) \* Case No. 89-27-A  
15th Election District  
6th Councilmanic District  
Michael P. Jones, et ux  
Petitioners

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a front average setback of 18 feet in lieu of the required 22 feet, a minimum side yard setback of 7 feet in lieu of the required 8 feet, and a sum of the side yard setback of 17 feet in lieu of the required 20 feet for a proposed addition as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Mr. Jones, appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of August, 1988 that the Petition for Zoning variance to permit a front average setback of 18 feet in lieu of the required 22 feet, a minimum side yard setback of 7 feet in lieu of the required 8 feet, and a sum of the side yard setback of 17 feet in lieu of the required 20 feet for a proposed addition in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The Petitioner shall not allow or cause the proposed addition to be converted to a second dwelling unit and/or apartment.

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:hjs

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

August 1, 1988

Mr. & Mrs. Michael P. Jones  
705 Fuselage Avenue  
Baltimore, Maryland 21220

RE: PETITION FOR ZONING VARIANCE  
S/S Fuselage Avenue, 75' E of the c/l of Right Elevator Road  
15th Election District; 6th Councilmanic District  
Case No. 89-27-A

Dear Mr. & Mrs. Jones:

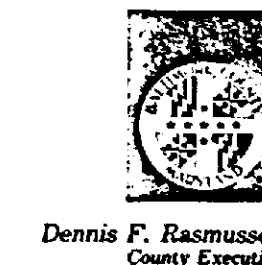
Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

Very truly yours,

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:hjs  
Enclosure  
cc: People's Counsel  
File



Dennis F. Rasmussen  
County Executive

#### PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 303.1, 1802.3B(2)(3) to allow a front average setback of 18 feet in lieu of the required 22 feet, a minimum side yard setback of 7 feet in lieu of the required 8 feet, and a sum side yard setback of 17 feet in lieu of the required 20 feet.

1. 5 PERSONS LIVING IN 2 BEDROOM, 1 BATHROOM HOUSE
2. ONLY 750 SQ. FT. LIVING SPACE.
3. TOO CLOSE TO GARAGE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	MARY A. JONES
Signature	Signature
Address	MICHAEL P. JONES
(Type or Print Name)	(Type or Print Name)
City and State	Signature
Attorney for Petitioner:	
(Type or Print Name)	705 FUSELAGE AVE. (301) 682-2709
Address	BALTIMORE, MD
City and State	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name	

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 52755  
Date: 5-10-88  
ACCOUNT: R-01-415-000  
AMOUNT: \$ 35.00  
RECEIVED FROM: Michael Jones  
FOR: Residential Zoning Variance #1, p. 1  
B B C55\*\*\*\*\*35501a 1104F  
VALIDATION OR SIGNATURE OF CASHIER

#### BALTIMORE COUNTY, MARYLAND

##### INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines, Zoning Commissioner  
FROM: P. David Fields, Director, Office of Planning and Zoning  
SUBJECT: Zoning Petitions #89-4-A, 89-5-A, 89-14-A, 89-15-A, 89-16-A, 89-17-A, 89-19-A, 89-21-A, 89-23-A, 89-25-A, 89-27-A, 89-28-A, 89-29-A, and 89-34-A

There are no comprehensive planning factors requiring comment on these petitions.

P. David Fields, Director  
Office of Planning and Zoning

PDF/jat  
cc: Shirley Hess, People's Counsel  
J. G. Roswell  
Zoning File

cc: Mr. & Mrs. Michael P. Jones

RECEIVED  
JUN 23 1988  
ZONING OFFICE

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

June 13, 1988

##### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
CASE NUMBER: 89-27-A  
S/S Fuselage Avenue, 75' E of c/l of Right Elevator Road  
(705 Fuselage Avenue)  
15th Election District - 6th Councilmanic  
Petitioner(s): Michael P. Jones, et ux  
HEARING SCHEDULED: THURSDAY, JULY 28, 1988 at 9:00 a.m.

VARIANCE to allow a front average setback of 18 ft. in lieu of the required 22 ft., a minimum side yard setback of 7 ft. in lieu of the required 8 ft. and a sum side yard setback of 17 ft. in lieu of the required 20 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

cc: Mr. & Mrs. Jones  
File



Dennis F. Rasmussen  
County Executive

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

Date: July 13, 1988

Mr. & Mrs. Michael P. Jones  
705 Fuselage Avenue  
Baltimore, Maryland 21220

Re: Petition for Zoning Variance  
CASE NUMBER: 89-27-A  
S/S Fuselage Avenue, 75' E of c/l of Right Elevator Road  
(705 Fuselage Avenue)  
15th Election District - 6th Councilmanic  
Petitioner(s): Michael P. Jones, et ux  
HEARING SCHEDULED: THURSDAY, JULY 28, 1988 at 9:00 a.m.

Dear Mr. & Mrs. Jones:

Please be advised that \$ 77.25 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 52876  
Date: 7/25/88  
ACCOUNT: R-01-415-000  
AMOUNT: \$ 77.25  
RECEIVED FROM: Michael P. Jones, et ux  
FOR: Residential Zoning Variance #1, p. 1  
B B C55\*\*\*\*\*77251a 89-27-A  
VALIDATION OR SIGNATURE OF CASHIER

n and post set(s), there e for each set not

four,

Haines  
Zoning Commissioner of  
County

Located on the north side of Fuselage Ave., being known as Lot #352 of Victory Villa, Section 2 as recorded among the Land Records of Baltimore County in Book 22 folio 109. Also known as #705 Fuselage Ave.

#408



**L. Robert Mainer**  
Zoning Commissioner of  
Baltimore County

**Publisher**

\$ 177.25

District: 102th Date of Posting: 7/6/88  
 Posted for: Variano  
 Positioner: Michael P. Long, atty  
 Location of property: 565 Faraless Ave, 75 E/R Florida Rd.  
725 Faraless Ave  
 Location of Signs: From Faraless Ave, 100 ft. on road, 10 ft. on road  
on property of Politician  
 Remarks:  
 Posted by: Michael Date of return: 7/8/88  
 Number of Signs: 1

Received by: James E. Dyer  
Chairman, Zoning Plans  
Advisory Committee

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## SEW/RF/pm1-b

## Enclosures